

48. The active stent according to claim 47 wherein the bioactive agent is vascular endothelial growth factor (VEGF), a fibroblast growth factor (FGF), angiopoietin 1, or thrombin.

49. The active stent according to claim 46 wherein the bioactive agent modifies vascular structure in the hematologic system.

50. The active stent according to claim 49 wherein the bioactive agent modifies platelet function.

REMARKS

In response to the restriction requirement dated October 31, 2001, Applicant hereby elects, with traverse, Specie No. 14, "Stent with living cells" for prosecution on the merits. At a minimum, the following claims read on the elected species: Claims 1, 2, 30, 43, 44, 45, 58, 59, 60, 61, 62, 63, 64, 73, 74 and 75. In this regard, it is noted that, at a minimum, independent claims 1 and 58 are generic to all "species" listed by the Examiner in the Office Action.

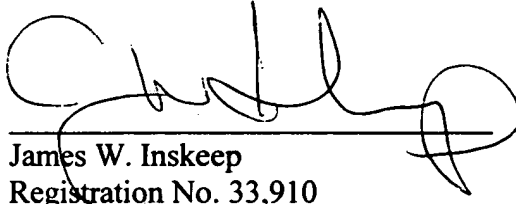
In addition, upon review of the claims in the above-referenced application, it was discovered that the dependency of claims 44-50 is incorrect. This amendment remedies this error.

If any questions arise in connection with this response, the Examiner is cordially urged to contact the undersigned by telephone in order to expedite the examination of the present application.

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The Commissioner is hereby authorized to charge payment of any additional filing fees or credit any overpayment to Deposit Account No. 50-1901.

Respectfully submitted,



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VERSION WITH MARKED TO SHOW CHANGES

44. The active stent according to claim [41] 43 wherein live cells are selected from the group consisting of endothelial cells, smooth muscle cells, leukocytes, monocytes, epithelial cells, polymorphonuclear leukocytes, lymphocytes, basophils, fibroblasts, stem cells, epithelial cells and eosinophils.

45. The active stent according to claim [42] 44 wherein the live cells are smooth muscle cells, epithelial cells, or endothelial cells.

46. The active sent according to claim [41] 43 wherein the stent further comprises a transcutaneously energized heating mechanism adapted to control the heating of the stent to a temperature sufficient to cause the live cells to increase production of one or more bioactive agents.

47. The active stent according to claim [44] 46 wherein the bioactive agent stimulates angiogenesis and/or capillary formation.

48. The active stent according to claim [45] 47 wherein the bioactive agent is vascular endothelial growth factor (VEGF), a fibroblast growth factor (FGF), angiopoietin 1, or thrombin.

49. The active stent according to claim [44] 46 wherein the bioactive agent modifies vascular structure in the hematologic system.

50. The active stent according to claim [47] 49 wherein the bioactive agent modifies platelet function.